

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MINNESOTA**

In re:

Case No.: 15-50792

Diocese of Duluth,

Chapter 11

Debtor.

**SUBMISSION OF AFFIDAVITS OF PUBLICATION CONCERNING DEBTOR'S
MOTION OF ENTRY OF AN ORDER (1) APPROVING SETTLEMENT AGREEMENT
AMONG THE DIOCESE, THE PARISHES, THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS, AND FIREMAN'S FUND, (2) APPROVING THE
DIOCESE'S SALE OF THE POLICIES BACK TO FIREMAN'S FUND FREE AND
CLEAR OF CLAIMS AND INTERESTS, AND (3) ENJOINING ASSERTION OF
CLAIMS AGAINST FIREMAN'S FUND**

Attached as Exhibits A, B, and C hereto are affidavits of publication attesting that the notices attached to each affidavit were published on December 14, 2017 in the Duluth News-Tribune and the Minneapolis Star-Tribune and on December 15, 2017 in the St. Paul Pioneer Press, in order to provide the broadest notice possible, including notice by publication to unknown creditors of the estate, of Debtor's motion for entry of an order (1) approving a settlement set forth in that certain Settlement Agreement, Release, and Policy Buyback among the Debtor, the Parishes (as defined below), the Official Committee of Unsecured Creditors, and Fireman's Fund Insurance Company ("Fireman's Fund") (such agreement, including the attachments thereto, the "Settlement Agreement"), (2) authorizing the Debtor to sell the Fireman's Fund Policies (as defined in the Settlement Agreement) back to Fireman's Fund, free and clear of claims and interests of any other person or entity, (3) enjoining all claims against Fireman's Fund under the Fireman's Fund Policies, (4) approving the manner and form of notice of this Motion and the proposed injunction, and (5) granting such other relief as is just and proper. The Motion was filed by the Debtor at ECF No. 320.

/ / /

/ / /

DATED: January 2, 2018

Respectfully submitted,

By: /s/ Charles E. Jones
Charles E. Jones

Charles E. Jones
Moss & Barnett
150 South Fifth Street, Suite 1200
Minneapolis, MN 55402
Telephone: 612.877.5000
Facsimile: 612.877-5999
Email: charles.jones@lawmoss.com

Mark D. Plevin
Crowell & Moring LLP
Three Embarcadero Center, 26th Floor
San Francisco, CA 94111
Telephone: 415.986.2800
Facsimile: 415.986.2827
Email: mplevin@crowell.com

Attorneys for Fireman's Fund Insurance Company

EXHIBIT A

STATE OF MINNESOTA) AFFIDAVIT OF PUBLICATION
COUNTY OF ST. LOUIS)

Deb Williams, being first duly sworn on oath states, or affirms that s/he is the publisher of the newspaper known as the Duluth News Tribune, or the publisher's designated agent, and has full knowledge of the facts stated below:

A. The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minn. Stat. 331A.02, and other applicable laws, as amended.

B. The printed public notice that is attached was published on the following dates:

December 14, 2017

By Deb Williams

Subscribed and sworn to or affirmed before me

on this 15th day of December, 2017.

Notary Public

Jacqueline M. Somers



RATE INFORMATION

Lowest classified rate paid by commercial users for comparable space:

\$ 0.00 per line

Maximum Rate allowed by law:

\$ 0.00 per line

Rate actually charged:

\$ 0.00 per line

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MINNESOTA**

In re Diocese of Duluth, Debtor. Case No. 15-50792

**NOTICE OF MOTION AND HEARING ON DEBTOR'S MOTION TO APPROVE
SETTLEMENT AGREEMENT AND POLICY BUY-BACK WITH FIREMAN'S FUND
AND TO ENTER AN INJUNCTION**

PLEASE TAKE NOTICE THAT at 10:00 a.m. Central Standard Time on January 4, 2018, in Courtroom 8 West at the United States Courthouse, 300 South Fourth Street, Minneapolis, MN 55415, the United States Bankruptcy Court for the District of Minnesota will conduct a hearing in the above-captioned case on a motion by the debtor Diocese of Duluth (the "Motion," Dkt. No. 320) for an order approving a Settlement Agreement 'among (i) Debtor and the "Diocese Parties" (as defined in the Settlement Agreement), (ii) Fireman's Fund Insurance Company, (iii) the "Parish Parties" (as defined in the Settlement Agreement), and (iv) the Official Committee of Unsecured Creditors regarding certain alleged liability insurance policies allegedly issued by Fireman's Fund to the Debtor (as more particularly defined in the Settlement Agreement, the "Fireman's Fund Policies"). In addition to approving the Settlement Agreement, under which (i) Fireman's Fund agrees to pay a total of \$975,000 to the Debtor, (ii) the "Fireman's Fund Parties" (as defined in the Settlement Agreement) will receive a release of all past, present, and future claims, known and unknown, with respect to, relating to, or in any way arising out of the Fireman's Fund Policies, and (iii) any and all rights and interests in the Fireman's Fund Policies will be deemed to have been sold back to Fireman's Fund free and clear of any interests, thus permanently and irrevocably extinguishing all rights, duties, and coverage under the Fireman's Fund Policies, the Motion also requests that the Bankruptcy Court enter an order permanently enjoining the prosecution, continuation, or commencement of any claim or interest that any person or entity held or asserted, presently holds or asserts, or may in the future hold or assert against the Fireman's Fund Parties or the property of the Fireman's Fund Parties arising out of, in connection with, and/or in any way related to any of the Fireman's Fund Policies.

Copies of the Motion and the Settlement Agreement can be obtained on the Bankruptcy Court's website at www.mnb.uscourts.gov or by contacting counsel for Debtors at the addresses set forth below.

YOUR RIGHTS MAY BE AFFECTED BY THE MOTION, THE SETTLEMENT AGREEMENT, AND ANY ORDER ENTERED BY THE COURT APPROVING THE SETTLEMENT AGREEMENT AND ENTERING THE INJUNCTION. Objections to the Motion must be filed and served no later than Friday, December 29, 2017. If you wish to file an objection to the Motion, you must file your objection with the Bankruptcy Court at the United States Bankruptcy Court for the District of Minnesota, 300 South Fourth Street, Minneapolis, MN 55415, www.mnb.uscourts.gov, and serve your objection on the following: (i) counsel for Debtors, Gray Plant Mooty, 500 IDS Center, 80 South Eighth Street, Minneapolis, MN USA (Attn: Phillip Kunkel, phillip.kunkel@gpmllaw.com) and Elsaesser Anderson, Chtd., 320 East Neider Avenue, Suite 102, Coeur d'Alene, ID 83815 (Attn: Ford Elsaesser, ford@ealdaho.com), (ii) the Office of the United States Trustee, 300 South Fourth Street, Suite 1015, Minneapolis, MN 55415 (Attn: Robert B. Raschke), (iii) counsel for the Committee, Stinson Leonard Street, 150 South Fifth Street, Suite 2300, Minneapolis, MN 55402 (Attn: Robert T. Kugler, robert.kugler@stinson.com), (iv) counsel for Fireman's Fund, Moss & Barnett, 150 South Fifth Street, Suite 1200, Minneapolis, MN 55402 (Attn: Charles E. Jones, charles.jones@lawmoss.com) and Crowell & Moring LLP, Three Embarcadero Center, Suite 2600, San Francisco, CA 94111 (Attn: Mark D. Plevin, mplevin@crowell.com), (v) counsel for the Parish Parties, Hanft Fride, 1000 U.S. Bank Place, 130 W Superior Street, Duluth, MN 55802-2094 (Attn: John D. Kelly, jd@hanftlaw.com), and (vi) all other parties entitled to notice pursuant to the Fed.R.Bankr. P.2002 service list in Debtors' bankruptcy case. The description of the terms of the settlement contained herein is subject to the provisions of the Settlement Agreement.

To the extent there is any inconsistency between the description of the terms of the settlement contained herein and the provisions of the Settlement Agreement, the provisions of the Settlement Agreement shall control.

D.N.T. Dec. 14, 2017

2576647

EXHIBIT B

AFFIDAVIT OF PUBLICATION



STATE OF MINNESOTA)
COUNTY OF HENNEPIN)

650 3rd Ave. S., Suite 1300 | Minneapolis, MN | 55488

Linda McClellan, being first duly sworn, on oath states as follows:

1. (S)He is and during all times herein stated has been an employee of the Star Tribune Media Company LLC, a Delaware limited liability company with offices at 650 Third Ave. S., Suite 1300, Minneapolis, Minnesota 55488, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows:

Date of Publication

Star Tribune

12/14/2017

4. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Hennepin County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

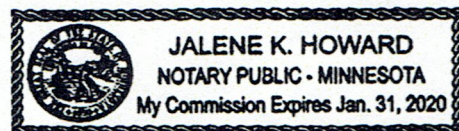
FURTHER YOUR AFFIANT SAITH NOT.

A handwritten signature in purple ink, appearing to read "Linda McClellan", written over a horizontal line.

Subscribed and sworn to before me on December 14, 2017

A handwritten signature in black ink, appearing to read "Jalene K. Howard", written over a horizontal line.

Notary Public



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MORTGAGE: Wells Fargo Bank, N.A.
 LENDER OR BROKER AND MORTGAGE ORIGINATOR STATED ON THE MORTGAGE: Wells Fargo Bank, N.A.
 SERVICER: Wells Fargo Bank, N.A.
 DATE AND PLACE OF FILING: Filed September 15, 2008, Ramsey County Recorder, as Document Number 4116568
 LEGAL DESCRIPTION OF PROPERTY: Unit 116, Condominium No. 167, Parkview Estates Condominium
 PROPERTY ADDRESS: 2680 Oxford St Apt 116, Roseville, MN 55113
 PROPERTY IDENTIFICATION NUMBER: 02.29.23.33.0178
 COUNTY IN WHICH PROPERTY IS LOCATED: Ramsey
 THE AMOUNT CLAIMED TO BE DUE ON THE MORTGAGE ON THE DATE OF THE NOTICE: \$99,210.14
 THAT all pre-foreclosure requirements have been complied with; that no action or proceeding has been instituted at law or otherwise to recover the debt secured by said mortgage, or any part thereof;
 PURSUANT to the power of sale contained in said mortgage, the above described property will be sold by the Sheriff of said county as follows:
 DATE AND TIME OF SALE: January 9, 2018, 10:00am
 PLACE OF SALE: Sheriff's Main Office, The Lowry Building/City Hall Annex, 25 West 4th St., Suite 150, St. Paul, MN 55102 to pay the debt secured by said mortgage and taxes, if any, on said premises and the costs and disbursements, including attorneys fees allowed by law, subject to redemption within 6 months from the date of said sale by the mortgagor(s) the personal representatives or assigns.
 TIME AND DATE TO VACATE PROPERTY: If the real estate is an owner-occupied, single-family dwelling, unless otherwise provided by law, the date on or before which the mortgagor(s) must vacate the property, if the mortgage is not reinstated under section 580.30 or the

Francis: 4274 McDonald, Nicole;
 Brooke: 5537 Coles, Kristina; 5608
 Ross, Khalil; 6117 Wells, Michael;
 6119 Anderson, Josh; 6126 Staples,
 Mary; 6214 Tobias, Roger; 6349
 Johnson, Tanya; 7125 Barnes,
 Shareka; 7143 Tobias, Roger

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IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF MINNESOTA
 Case No. 15-50792
 NOTICE OF MOTION AND HEARING ON DEBTOR'S MOTION TO APPROVE SETTLEMENT AGREEMENT AND POLICY
 BUY-BACK WITH FIREMAN'S FUND AND TO ENTER AN INJUNCTION
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EXHIBIT C

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

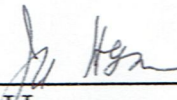
) Diocese of Duluth, Debtor
) Case No. 15-50792

AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK)
COUNTY OF NEW YORK)

I, JAY H. HEYMAN, being duly sworn, depose and say that I am a Director of Porte Advertising, Inc., and that I arranged for the publication of the attached notice in the *St. Paul Pioneer Press* on December 15, 2017.

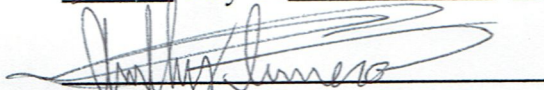
The foregoing statements are true and correct to the best of my knowledge, information and belief.



Jay H. Heyman

Sworn to me this

30th day of December, 2017



Notary Public



